



NIXON PEABODY LLP
ATTORNEYS AT LAW

NIXONPEABODY.COM
@NIXONPEABODYLLP

Anjali Vohra
Associate
avohra@nixonpeabody.com

Nixon Peabody LLP
799 9th Street NW
Suite 500
Washington, DC 20001-4501
202-585-8000

July 21, 2016

VIA EMAIL AND FIRST CLASS MAIL

The Hon. Karen V. Gregory
Secretary of Federal Maritime Commission
800 North Capitol St.
Room 1046
Washington, D.C. 20573

Re: Docket No. 15-11 – Ovchinnikov v. Hitrinov

Dear Ms. Gregory:

Enclosed for filing in the above-captioned matter are an original true copy and five (5) additional copies of:

1. Respondents' Motion for a 3-Page Increase in the Page Limit for Their Reply Regarding Judgment on the Pleadings

Please contact me if you have any questions.

Sincerely,

Anjali Vohra

Enclosures

FEDERAL MARITIME COMMISSION

WASHINGTON, D.C.

DOCKET NO. 15-11

IGOR OVCHINNIKOV, ET AL

v.

MICHAEL HITRINOV, ET AL

Consolidated With

DOCKET NO. 1953(I)

KAIRAT NURGAZINOV, ET AL

v.

MICHAEL HITRINOV, ET AL

**RESPONDENTS' MOTION FOR A THREE-PAGE INCREASE IN THE PAGE LIMIT
FOR THEIR REPLY REGARDING JUDGMENT ON THE PLEADINGS**

Pursuant to FMC Rules 69 and 71, Respondents Empire United Lines and Michael Hitrinov hereby submit this Motion for a Three-Page Increase in the Page Limit applicable to Respondents' Reply To Complainants' Response To Respondents' Motion for Judgment on the Pleadings.

Under FMC Rule 70, a reply on a dispositive motion is limited to 15 pages absent leave from the Presiding Officer. Respondents request leave for three additional pages (a total of 18 pages) because they believe it necessary to a full and fair exposition of their argument. In particular, we note that Complainants have not limited themselves to matters concerning the Shipping Act, but have instead inserted multiple references to wholly different regulatory regimes, such as the Federal Trade Regulations and Export Administration Regulations.

Although the alleged violations of such regulatory regimes are outside the FMC's jurisdiction and wholly irrelevant to the merits of this matter. Complainants' multiple misstatements create a cloud of dust that should be dispelled, and as any litigator would appreciate, it is easier to make facile misstatements than it is to explain why and how they are incorrect. Respondents could in truth go well beyond 18 pages in addressing these sideshows, but out of respect for the intent of Rule 70 ask only for three additional pages.

For the foregoing reasons, Respondents respectfully request that their motion for a three-page increase be granted.

Respectfully submitted,



Eric Jeffrey

Anjali Vohra

Nixon Peabody LLP

799 9th Street, N.W., Suite 500

Washington, D.C. 20001

(202) 585-8000

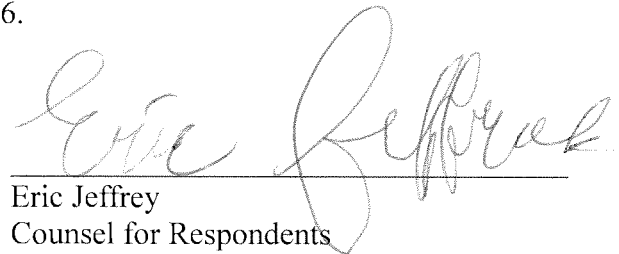
CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Respondents' Motion for a 3-Page Increase in the Page Limit for Their Reply Regarding Judgment on the Pleadings by email and first class mail to the following:

Marcus A. Nussbaum, Esq.
P.O. Box 245599
Brooklyn, NY 11224
Marcus.nussbaum@gmail.com

Seth M. Katz, Esq.
P.O. Box 245599
Brooklyn, NY 11224

Dated at Washington, DC, this 21st day of July, 2016.


Eric Jeffrey
Counsel for Respondents